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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,694	02/15/2001	Brian Keith Martin	RSW920010011US1	3157
25259	7590	01/25/2005	EXAMINER	
IBM CORPORATION 3039 CORNWALLIS RD. DEPT. T81 / B503, PO BOX 12195 REASEARCH TRIANGLE PARK, NC 27709			EL CHANTI, HUSSEIN A	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/784,694

Applicant(s)

MARTIN ET AL.

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to amendment received on Sep. 7, 2004. Claims 1, 15 and 29 were amended. Claims 1-42 are pending examination.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hawes, U.S. Patent No. 6,094,662.

Hawes teaches the invention substantially as claimed including a method of marking pages as having non-cacheable HTML portions and cacheable graphics HTML portions. Marking the HTML portion as non-cacheable allows for the retrieval of a web page containing the latest status information without retrieving the graphics images (see abstract).

As to claims 1, 15 and 29, Hawes teaches a method, system, and program respectively in a data processing system for specifying a cache policy for caching pages which include dynamic content, said method, system, and program comprising the steps of:

permitting a user to request one of said pages to be displayed, said one of said pages including a plurality of fragments (see col. 4 lines 45-47, user retrieves web pages);

executing an application which includes a plurality of HTML portions, each one of said plurality of HTML portions being executed to present a different one of said plurality of fragments, each one of said plurality of HTML portions being unchanged by said caching policy (see col. 4 lines 48-52, browser separates cacheable and non-cacheable portions); and

processing caching of said one of said pages separately from said application; and specifying one of a plurality of different caching options for one of said plurality of HTML portions based on an update rate of content of said one of said plurality of HTML portions, said plurality of different caching options including either static caching, dynamic caching or no caching content that is updated dynamically being cached either static caching, dynamic caching or no caching (see col. 5 lines 13-36, browser dynamically and periodically updates the cacheable portion).

Hawes does not explicitly teach the HTML portions are servlets. Official Notice is taken as evident by Microsoft computer Dictionary 5<sup>th</sup> edition that it would have been obvious for one of the ordinary skill in the art at the time of the invention to modify Hawes by using servlets because doing so would make the browser execute quickly and thereby reducing system overhead.

As to claims 2, 16 and 30, Hawes teaches the method, system, and program according to claims 1, 15 and 29 respectively, further comprising the steps of processing caching of each of said plurality of fragments separately from said application (see col. 4 lines 43-53).

As to claims 3, 17 and 31, Hawes teaches the method, system, and program according to claims 1, 15 and 29 respectively, wherein the step of processing caching further comprises the steps of: responding to internal cache requests; and responding to external cache requests (see col. 5 lines 14-36).

As to claims 4, 18 and 32, Hawes teaches the method, system, and program according to claims 1, 15 and 29 respectively, further comprising the step of processing caching of said one of said pages within an application server included within said computer system (see col. 5 lines 14-36).

As to claims 5, 19 and 33, Hawes teaches the method, system, and program according to claims 4, 18 and 32 respectively, further comprising the steps of: responding to internal cache requests, said internal cache requests being generated within said application server; and responding to external cache requests, said external cache requests being generated outside said application server (see col. 5 lines 14-36).

As to claims 6, 20 and 34, Hawes teaches the method, system, and program according to claims 1, 15 and 29 respectively, wherein the step of processing caching of said one of said pages further comprises the steps of: receiving a request to display one of said plurality of fragments; determining one of plurality of HTML portions associated

with said one of said plurality of fragments; and executing said one of said plurality of HTML portions, wherein said execution of said one of said plurality of HTML portions generates a displayable output (see col. 5 lines 14-36).

As to claims 7, 21 and 35, Hawes teaches the method, system, and program according to claims 6, 20 and 34 respectively, further comprising the steps of: in response to a first request to display said one of said plurality of fragments, creating a cache entry including said output; creating a cache entry identifier for identifying said cache entry utilizing a user identifier which identifies said user and caching options specified for said one of said plurality of HTML portions (see col. 5 lines 14-36).

As to claims 8, 22 and 36, Hawes teaches the method, system, and program according to claims 7, 21 and 35 respectively, further comprising the steps of: creating said one of said plurality of HTML portions; specifying said cache options for said one of said plurality of HTML portions; and creating a HTML portion element for said HTML portion utilizing a HTML portion identifier and an indication of said specified cache options, wherein said HTML portion element is associated with said HTML portion (see col. 5 lines 14-36).

As to claims 9, 23 and 37, Hawes teaches the method, system, and program according to claims 8, 22 and 36 respectively, further comprising the steps of: storing said HTML portion; and storing said specification of said HTML portion options with said HTML portion (see col. 5 lines 14-36).

As to claims 10, 24 and 38, Hawes teaches the method, system, and program according to claims 8, 22 and 36 respectively, further comprising the steps of: receiving a request to display said HTML portion element; determining whether any cache entry is identified by said cache identifier; in response to a determination that no cache entry is identified by said cache identifier: retrieving said HTML portion associated with said HTML portion element; providing said user identifier to said HTML portion; executing said HTML portion utilizing said user identifier generating an output; storing said output as a cache entry; identifying said cache entry utilizing said cache identifier; and returning said cache entry to said user, wherein said output is displayed (see col. 6 lines 16-50).

As to claims 11, 25 and 39, Hawes teaches the method, system, and program according to claims 8, 22 and 36 respectively, further comprising the steps of: receiving a request to display said HTML portion element; determining whether any cache entry is identified by said cache identifier; in response to a determination that a cache entry exists which is identified by said cache identifier, returning said cache entry to said user, wherein said output is displayed (see col. 6 lines 16-50).

As to claims 12, 26 and 40, Hawes teaches the method, system, and program according to claims 6, 20 and 34 respectively, further comprising the step of outputting said cache entry, wherein said one of said plurality of fragments is displayed (see col. 6 lines 16-50).

As to claims 13, 27 and 41, Hawes teaches the method, system, and program according to claims 6, 20 and 34 respectively, further comprising the step of in response to subsequent requests to display said one of said plurality of fragments, retrieving said cache entry utilizing said cache identifier (see col. 6 lines 16-50).

As to claims 14, 28 and 42, Hawes teaches the method, system, and program according to claims 13, 27 and 41 respectively, further comprising the step of outputting said cache entry, wherein said one of said plurality of fragments is displayed (see col. 6 lines 16-50).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Shared web page caching at browsers for an intranet by Hunt et al., U.S. Patent No. 6,253,234
- Caching dynamic web pages by Hon et al., U.S. Patent No. 6,185,608
- Prefetching and caching documents according to probability ranked need S list by Pirolli et al. U.S. Patent No. 6,098,064
- Method and apparatus for caching content in a data processing system with fragment granularity by Challenger et al., U.S. Patent No. 6,067,565
- System for updating a set of instantiated content providers based on changes in content provider directory without interruption of a network information services by Lieberman, U.S. Patent No. 6,516,349

4. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new grounds of rejection.



5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

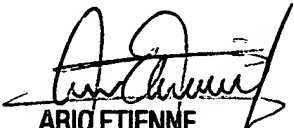
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hussein El-chanti

Jan. 12, 2005

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
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